City of Toronto.
Legal Department.

OFFICIAL PLAN STATEMENTS ON RAVINES

November 29, 1983

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CITY OF TORONTO
LEGAL DEPARTMENT

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N(4)

P.C. Harris

November 29, 1883

To: Land Use Committee

Subject: Official Plan Statements on Ravines

Origin: Land Use Committee meeting, May 18, 1983.
(c06luc83200:35)

Comments:

At its aforesaid meeting the Land Use Committee had before it reports dated March 21 and May 17, 1983 from the Commissioner of Planning and Development on a proposed Official Plan Amendment respecting the policies related to ravines. The Committee concurred with the Official Plan Amendment referred to in the foregoing reports and requested the City Solicitor to submit the necessary draft by-laws to give effect thereto.

The following comments deal in turn with each change suggested by the Commissioner of Planning and Development to the ravine policies.

1. Definition of Ravine in Section 10.26. The Commissioner wants to remove the reference in Section 10.26 to "ravines" because they are no longer shown on Map 5. He wants to substitute a reference to the maps in Appendix A. The effect of doing this will be that the reference in the Official Plan to "ravines" will only be to those designated under the City of Toronto Act, 1971. The question is whether the Commissioner wants the statements in the Official Plan dealing with ravines only to be to those ravines that are designated. There are several ravines that have not yet been designated. The attached draft official plan amendment makes the change suggested by him but he may wish to consider my foregoing comments.

2. Deletion of Section 5.7(b). This section deals with open space and not with ravines. The Commissioner of Planning and Development points out in his report that Section 5.2 has been amended so as to state that nothing in the Plan shall indicate that Council will necessarily acquire for public park or other municipal purposes any lands designated as open space. The Commissioner therefore concludes that Section 5.7(b) appears unnecessary and that it should be deleted. Section 5.7(b) states as follows:

"Where any lands designated for open space are in private ownership, this Plan does not indicate that this land will necessarily remain as open space indefinitely, nor shall it be construed as implying that open space areas are free and open to the general public or will be purchased by any municipality. If proposals to develop any such lands that are in private ownership are made and a municipality does not wish to purchase such lands in order to maintain the open space, then an application for the redesignation of such land for other purposes will be given due consideration by the City, insofar as such redesignation is consistent with the policies of this Plan. (3)."

Section 5.19 (now Section 5.7(b)) was added in 1969 to the Official Plan by ministerial modification No. 35. I must assume that the Minister regarded the modification as a necessary remedy for owners of land who should find that their land had been designated as open space.

The importance of having Section 5.7(b) in the Official Plan was recognized by the Ontario Municipal Board in its decision on the St. Michael's lands. In that decision the Board stated at page 17 as follows:

"the Board also believes that an 'Open Space' designation of private property carries with it a commitment to buy that property."

Further on, at page 25, the Board considered Section 5.7(b) and stated as follows:

"We understand the section to mean, that if land is in private ownership and designated as Open Space, and the owner brings forward a reasonable and responsible proposal to develop the land, then the City will either purchase the land in order to maintain the open space or give due consideration to the development proposal, and presumably, if the proposal is reasonable and responsible and in accordance with the policies of the Official Plan, approve the proposed development. To the Board this is fair and equitable.

Now, if a parcel of land in private ownership, possesses characteristics that make it suitable for a park or open space, but the owner is not putting that parcel of land to any use, nor does the owner have any immediate, reasonable, and responsible plans for its development, then, in our view, an open space designation is quite in order; provided a clause similar to Section 5.7(b) is made to apply to the lands. That is something like the situation the Board faces, and the way

the Board handled it, in Nepean Township, re Township of Nepean, 90 M.B.R., 36."

Because 5.7(b) was added to the Official Plan by ministerial modification to deal with statements in the Plan which, since that time, have not been altered and because the Ontario Municipal Board has recognized the presence of this section as a necessary protection to owners who find their lands designated as open space, I do not recommend that this section be deleted and the draft official plan amendment does not do so.

3. Amendment of Section 5.8. I have no objection from a legal point of view.

4. Deletion of Section 5.9. I have no objection from a legal point of view.

5. Amendments to Sections 5.10 and renumbering as Section 5.9. The rewording of the section which is suggested by the Commissioner of Planning and Development refers for the first time to "designated ravines". This appears to add an element of uncertainty for the first time to the statement and to those statements that follow. The Commissioner has already recommended that "ravines" be listed in Section 10.26 as meaning those shown on the plans in Appendix A. By now beginning to refer to "designated ravines" he implies that only those ravines are meant that Council has some in other way signified. I do not think that this was his intention and I have therefore deleted the word "designated" where it occurs in this statement and in those statements that follow. Apart from this, I have no legal objection to the substance of the revision.

The Commissioner of Planning and Development has proposed, however, that because Section 5.9 has been recommended for deletion, Section 5.10 should be renumbered as 5.9. The problem with doing this is that many Official Plan Amendments which added ravine maps to the Official Plan contain the statement on the maps that shaded areas are exempted from 5.2 and 5.9. With the Commissioner's proposed amendment, the references on these maps to 5.9 will be to a section which it is not intended should be referred to. The maps that are now in Appendix A could be amended but it is more difficult to amend those maps which are in the process of being inserted in Appendix A, e.g. Official Plan Amendments which have been passed by Council but are before the O.M.B. Another difficulty is that the numbering proposed by the Commissioner of Planning for subsequent sections uses some numbers which are already used in the Official Plan and which the Commissioner will likely recommend be further amended sometime in the near future. If these are now altered by an amendment, and that amendment is in the process of being approved when it is

thought desirable to propose further changes to them, further amendment becomes very difficult and confusing. For these reasons, I am proposing that no change in the present numbers be made at this time and that any additions be made by references to existing numbers with the addition of a letter, e.g. if the existing number is 5.8, a new section 5.8A could be added. At a later date when all amendments have been made and approved, a technical amendment can be passed renumbering the sections in consecutive order. It should be kept in mind that a renumbering of the sections may affect other by-laws as well, for example, the Ravine Control By-law which has a reference in it to Section 5.10C.

6. Section 5.10. I have no comment.

7. Section 5.11. This expresses a policy to constrain "where possible" the use of existing public highways passing through ravines. I am uncertain what is meant by "where possible". Although I have left the expression in the attached draft official plan amendment, the Commissioner of Planning and Development should clarify its meaning.

8. Section 5.12. This is the same as the present 5.10A. I have no comment.

9. Section 5.13. I have no comment.

10. Section 5.14. I have no comment.

11. Section 5.15. This makes merely a technical change to the present section 5.10C. Since the attached draft official plan amendment does not use the renumbering system recommended by the Commissioner of Planning and Development for the reasons stated above, it has not been necessary to make any technical change to this section.

12. Section 5.16. I have partly given effect in the attached official plan amendment to the changes recommended here. Others I have omitted since it seems to me that they make the section less clear than the original.

13. Section 5.17. I have no comment.

14. Section 5.18. This states, among other things, that Council recognizes the significant impact of surrounding development on ravine ecosystems. It seems to me that the word "ecosystems" does not have a precise meaning and does not add anything to the sentence and could be omitted without altering the meaning of the sentence. The second sentence indicates that Council will consider establishment of ravine impact zones within which the

environmental effects of development or redevelopment proposals will be evaluated. The statement would appear to be acceptable if it refers only to a situation where a rezoning is necessary, but its words would apply even where no rezoning is required. If, then, it is intended to mean that where a person is entitled to a building permit he will not get the permit until the development has been "evaluated", this might involve a delay which would involve the City in litigation and the statement would be objectionable on this ground. I have therefore not implemented it.

15. Section 5.19. This is a rewording of Sections 5.10E and 5.10F. 5.10E was added to the Official Plan by OMB modification and should not be altered in the way recommended by the Commissioner of Planning which is to substitute a municipal address with all its uncertainty for a legal description which is precise. I also question the advisability of altering Section 5.10F which was passed to satisfy an objection to the Avondale Ravine. I have not given effect to the Commissioner's evident wish to over-simplify the Plan in a way which will only lead to disputes which have already been argued out and settled.

16. Section 5.20. This proposed new section speaks of "support" for a land fill regulation line and "support" for enforcement of the regulations. I think the Commissioner should consider what kind of support is envisaged when it is recognized the City has no jurisdiction either to support or oppose a regulation line. It seems to me that this statement is probably superfluous. The attached draft official plan amendment includes the requested statement but it may need to be altered depending on what answer the Commissioner gives to the question I have posed.

CONCLUSION:

As will be seen from the foregoing, the implementation of the Commissioner of Planning and Develoment's recommendations have made a number of changes to the proposed statements necessary and, in some cases, I have suggested that the recommendations not be implemented at all. It would therefore appear appropriate that the Commissioner of Planning be given an opportunity to consider the above.

Land Use Committee November 29, 1983

RECOMMENDATION:

That this report be referred to the Commissioner of Planning and Development for comment.

City Solicitor.

PCH/ol

Encl.

DRAFT OFFICIAL PLAN AMENDMENT

NO. A BY-LAW

To amend the Official Plan respecting ravine policies.

(Passed , 1983.)

The Council of The Corporation of the City of Toronto enacts as follows:

1. The text annexed hereto as Schedule 'A' is hereby adopted as an amendment to the Official Plan for the City of Toronto.

SCHEDULE A

1. Part I of the Official Plan is amended, as follows:

(1) Section 10.26 is amended:

(a) by deleting the semi-colon after the word "maps", by adding the words "and plans" and by adding a semi-colon after such words.

(b) by deleting the word "ravines" and the semi-colon following such word under the heading "Map 5".

(c) by adding thereto as a new heading the words "Plans contained in Appendix A" and by inserting below this heading the word "ravines" followed by a period.

(2) Section 5.8 is hereby deleted and the following substituted therefor, namely:

"5.8 It is the policy of Council that ravines owned by the City shall remain in their natural state with such clearing, extension and improvement of public lands as is necessary for compatible public recreation purposes, and Council shall encourage other owners of ravine lands within the City to maintain them in their natural state."

(3) Section 5.9 is hereby deleted.

(4) The following is hereby added as Sections 5.9A, 5.9B and 5.9C, namely:

"5.9A It is the policy of Council that the undertaking of public works in ravines shall be approved only where essential, and that the design of such works shall be such as to prevent unnecessary disruption of natural processes and features, including wildlife habitats and vegetation, and such as to detract as little as possible from the appearance and use of the areas affected."

"5.9B It is the policy of Council to oppose the use of ravines or any part thereof for highway or expressway alignments, whether aerial, sub-surface, or at ground level. Council will discourage the opening of public highways or private roadways of any kind in ravines, including those which may presently exist in the form of unopened road allowances."

"5.9C It is the policy of Council to constrain where possible the use of existing public highways passing through ravines by such measures as restricting their use for vehicular traffic at certain periods, thereby enabling pedestrians and cyclists to enjoy the ravines."

(5) Section 5.10 is hereby deleted.

(6) Section 5.10B is hereby repealed and the following substituted therefor, namely:

"5.10B The provisions of Section 5.2 shall not apply to any lands shown shaded on any plan contained in Appendix "A"."

(7) The following is inserted after Section 5.10B as 5.10BB, namely:

"5.10BB While it is not the policy of Council actively to acquire privately owned ravines, Council may from time to time acquire such lands when opportunities arise to attain the policies set forth in Section 5.2 or to protect an endangered ravine environment."

(8) Section 5.10D is amended by deleting the word "is" wherever it occurs after the word "ravine" and by substituting therefor the words "is to be".

(9) The following Sections 5.10DD and 5.10DDD are hereby inserted after Section 5.10D, namely:

"5.10DD It is the policy of Council that management guidelines for ravines shall be adopted. Such guidelines shall include:

(a) vegetation and wildlife management practices;

(b) maintenance and clean-up programs;

(c) monitoring programs to minimize vandalism and illegal dumping; and

(d) information programs to develop public awareness of the significance of ravines."

"5.10DDD Council recognizes the significant impact of surrounding development on ravines."

(10) The following 5.10G is hereby inserted after Section 5.10F, namely:

"5.10G It is the policy of Council to support the establishment of a Land Fill Regulation Line by the Metropolitan Toronto and Region Conservation Authority as it affects lands adjacent to the portions of the Don and Humber Valleys within the City limits, under the Conservation Authorities Act. Council shall give support to the Authority in the enforcement of regulations made under the said Act in the aforesaid areas."

CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

NO
REFER
FILE

MAY 17 12 53

N(2)

1.3.2.(50)
Zoning & O.P. Div.
May 17, 1983

To: Land Use Committee

Subject: Report on a proposed Official Plan Amendment respecting the policies related to ravines - Recommendation.

Origin: Commissioner of Planning and Development. (c711uc83287:58).

Comments:

Your Committee has before it for its meeting of May 18, 1983 Items 21, being a staff report on the above proposed Official Plan amendment as reviewed and endorsed by the Planning Board's Committee on Ravine Preservation Policies, and 21(a), being a communication from the Secretary of the Planning Board, indicating that the Board, at its April 25, 1983 meeting, had adopted the revised and expanded Official Plan statements relative to ravine policies as provisionally put forward in the May 18 report.

It would now be appropriate for your Committee to request the submission of a draft by-law to give effect to the revised and expanded statements.

RECOMMENDATION:

That your Committee request the City Solicitor to submit a draft by-law in the form of an amendment to Section 5 of the City of Toronto Official Plan, Part I to delete therefrom the present Subsection 5.9 and to recast and/or renumber Subsections 5.10 through 5.33 in the manner indicated on Pages 3 to 6 inclusive of my report of March 21, 1983 (Item 21) as above referred to.

Stephen G. McLaughlin,
Commissioner.

SIW/lt

Real Estate
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Peter G. Picherack
Director
Real Estate Development

Reference

N/réf N(3)

May 18, 1983

DELIVERED

The Secretary
Land Use Committee
City Hall
Toronto, Ontario

Dear Sir:

Re: "Open Space" provisions of the Official Plan for the City of Toronto and proposed amendments thereto

We are given to understand that the Committee may be considering, at its meeting of Wednesday, May 18, 1983, certain suggested amendments to the open space provisions of the City's Official Plan.

These proposed changes include suggested changes to Section 5.7 of the Plan as it currently exists. It is our opinion that the existing wording of Section 5.7 of the Plan, appropriately recognizes, that the City's designation of private lands as "open space" is not absolute, but carries with it the obligation, in the face of a landowner's reasonable request to utilize his land for other purposes, to acquire such land. We believe that such a provision is vital to the respect for property rights, process and legal right inherent in our system, and we wish to register our objection to any proposal to amend such provision.

Yours very truly,

Peter G. Picherack per jdo

Peter G. Picherack
Director
Real Estate Development

PGP:rr

cc: Mr. Steven McLaughlin, Commissioner,
Planning and Development

Ms. Roslyn Houser, Messrs. Goodman & Goodman

CITY OF TORONTO PLANNING BOARD
CITY HALL TORONTO ONTARIO M5H 2N2 (416) 947-7025

MICHAEL SUTTON, P.Eng. (Chairman)

Attention: Mrs. Pat Duggan

April 27, 1983

TO: LAND USE COMMITTEE
(c77luc83016:23)

At its meeting on April 25, 1983, the City of Toronto Planning Board had before it a communication (April 8, 1983) from the Secretary, Land Use Committee, forwarding a report (March 21, 1983) from the Commissioner of Planning and Development regarding a proposed Official Plan Amendment respecting the policies related to ravines.

The Board decided to receive the report (April 8, 1983) from the Secretary, Land Use Committee, and to adopt the report (March 21, 1983) from the Commissioner of Planning and Development, having noted the recommendations.

Yours truly,

P. Duggan

Secretary,
City of Toronto Planning Board

Encl.

cc. Commissioner of Planning and Development - Encl.
City Solicitor - Encl.
Commissioner of Buildings and Inspections - Encl.

MAYOR ART EGGLETON (Hon. Chairman)
MICHAEL SUTTON (Chairman)
PHILIP BIGGIN (Vice-Chairman)
ALBERT BERNADINE
ROSS BOBAK
FERNANDO COSTA
MARJA GATES
LEROY GRANT
BARBARA HALL
PETER HARRIS
GEORGE HISLOP
ALD. YING HOPE
RICHARD HORKINS
WILLIAM KELLY
MITCHELL KOSNY
ALD. MICHAEL WALKER
STEPHEN G. McLAUGHLIN Commissioner of Planning and Development, Secretary-Treasurer

CITY OF TORONTO

Department of the City Clerk
City Hall, Toronto, Ontario, Canada M5H 2N2

Roy V. Henderson / City Clerk

A.R.N. Woadden / Deputy City Clerk

947-7033/4

April 8, 1983

TO: CITY OF TORONTO PLANNING BOARD

On April 6, 1983, the Land Use Committee had before it the requested report (March 21, 1983) from the Commissioner of Planning and Development on a proposed Official Plan Amendment respecting the policies related to ravines.

In his report the Commissioner recommended:

1. That your Committee not take action on this report at this time.

2. That the report be referred to the City of Toronto Planning Board for review and comments in order to guide your Committee as to further action to be taken thereon.

The Committee adopted the foregoing report.

Yours truly,

G. James
Secretary,
Land Use Committee.
(c93othr83176:21)
GWJ:lg
Encl.

c.c.: Commissioner of Planning and Development - Encl.
City Solicitor - Encl.
Commissioner of Buildings and Inspections - Encl.

All Interested Persons

NO REFER ANS FILE

MAR 28 9 47 AM 83

CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

N.

1.3.2(50)
Zoning & O.P. Div.
March 21, 1983

To: Land Use Committee

Subject: (a) Report on a proposed Official Plan amendment respecting the policies related to ravines.

(b) Planning Board's Committee on Ravine Preservation Policies.

Origin: Land Use Committee, March 9, 1983, upon consideration of a report from the City Solicitor dated February 3, 1983 dealing with Official Plan designation of the Cedarvale Ravine as Open Space. (c71luc83142:58).

Comments:

The Land Use Committee, at its meeting held on March 9, 1983, had before it a report from the City Solicitor dealing with the Official Plan designation of the Cedarvale Ravine as 'Open Space'. This report followed upon the Committee's adoption of my report of August 24, 1982 which had recommended such designation of the Cedarvale Ravine area.

In my report of August 24, 1982 I had also recommended that the matter of inclusion of a statement in the Official Plan to the effect that no roadway or expressway shall be constructed in the Cedarvale Ravine area be deferred until such time as I had reported, through the Planning Board's Committee on Ravine Preservation Policies, on the matter of a revised and expanded set of statements respecting ravines in Part I of the Official Plan.

Your Committee, at its meeting of March 9, 1983, also requested me to recommend a policy statement for incorporation in the Official Plan which will categorically express City Council's policy of discouraging the construction of streets or highways in ravines. I have assumed that such statement should further indicate an extension of Council's policy to the effect that the use of existing roadways in ravine areas should be increasingly restricted and that such roads be sought to be be closed during certain periods, or totally, where possible.

The Planning Board's Committee on Ravine Preservation Policies has since reviewed the Official Plan policies related to ravines. Such review indicates that certain changes to the existing policy statements are necessary in view of action already pursued by City Council in designating the ravine areas and in passing ravine control by-laws. The Committee also supports the policy

recommended by the Land Use Committee respecting discouragement of construction of streets or highways in ravine areas.

The following set of amendments to the Official Plan statements respecting ravines has been endorsed by the Planning Board's Committee on Ravine Preservation Policies. Certain other changes are also recommended for technical reasons.

1. Definition of "Ravine"

Section 10.26 of the Official Plan defines ravines as those areas defined by boundary on Map 5. However, Map 5, contained in the City of Toronto Official Plan Part I no longer shows ravines. The ravines are now designated by special by-laws amending Part I of the Plan and, following approval of such by-laws, the maps showing the ravine boundaries are included in Appendix 'A' attached to Section 5 of the Official Plan.

The reference to ravines under Section 10.26 should therefore be amended so as to refer to the areas shown on the maps contained in Appendix 'A' to Section 5. The references to "ravines" under Sections 5.8, 5.9 and 5.10 would therefore be to those areas which have now been designated pursuant to Section 2 of the City of Toronto Act.

For the information of your Committee I may add that City Council has passed by-laws designating most of the ravines in the City, the exceptions being certain ravines in the Swansea area and in the east end. Preliminary delineation of the boundaries of these ravines is already in progress, and proposals for designating them will be submitted to your Committee in the near future.

The City Solicitor has, with his report of February 3, 1983, submitted a draft by-law amending Section 5.2 of the Official Plan, based on my report of August 24, 1982. The amendment as recommended reads as follows:

> "5.2 It is Council's policy that the Lakeshore, the Toronto Islands, High Park and the ravines, together with the other areas designated as Open Space on Maps 1 and 1A of this Plan, form those elements upon which the major parks system of the City shall be essentially based, containing regional parks and systems of district and local parks, but nothing in this Plan shall indicate that Council will necessarily acquire for public park or other municipal purposes any lands designated as Open Space."

2. Amendment to Section 5.7(b)

With the amendment to Section 5.2 as outlined in the City Solicitor's report of February 3, 1983, reference to purchase of lands in the areas designated as 'open space' in Section 5.7(b) of the Official Plan appears unnecessary and such reference in that section should therefore be deleted.

3. Amendment to Section 5.8

Section 5.8 presently relates to City owned ravine lands. It is my opinion that the policy of maintaining ravine lands in their natural state should apply to City owned as well as privately owned ravine lands. It is therefore suggested that this subsection be reworded to read as follows:

> "It is the policy of Council that ravines owned by the City shall remain in their natural state with such clearing, extension and improvement of public lands as is necessary for compatible public recreation purposes, and Council shall encourage other owners of ravine lands within the City to maintain them in their natural state."

4. Deletion of Section 5.9

Section 5.9 of the Official Plan deals with acquisition of private lands in the ravines. It is becoming apparent that the City is not likely to acquire any privately owned ravine lands unless such lands are offered to the City by the property owner. No funds were budgetted during the past five years for acquisition of privately owned ravine lands and I am not aware of any allocation of funds for such purpose in the foreseeable future. With the public pathway systems in the ravines essentially complete, and with the enactment of the Ravine Control By-laws, I do not consider it necessary to acquire in the future very much in the way of privately owned ravine lands. Under these circumstances Section 5.9 appears redundant and should therefore be deleted.

5. Amendments to Section 5.10

This section deals with the undertaking of public works in the ravine areas. A review of this section suggests that greater emphasis needs to be placed on maintaining the existing character of the ravines irrespective of whether work is being carried out by public agencies or private property owners. A stronger statement effecting the policy of discouraging construction of streets and highways in the ravine area should be incorporated in the Official Plan.

Your Committee is of course aware that the alignments of two major expressways which would have affected the ravine areas in the City, namely the Spadina Expressway and the Scarborough Expressway, have been abandoned. Council's policy to discourage any such future construction, by way of an Official Plan amendment, would help to preclude revival of these proposals.

It is therefore suggested that Section 5.10 of the Official Plan be reworded to read as follows, and that revisions to Sections 5.10, 5.10(a), (b), (c) and (d) be also renumbered as outlined below:

5.9 It is the policy of Council that the undertaking of public works in designated ravines shall be approved only where essential, and that the design of such works shall be such as to prevent unnecessary disruption of natural processes and features, including wildlife habitats and vegetation, and such as to detract as little as possible from the appearance and use of the areas affected.

5.10 It is the policy of Council to oppose the use of designated ravine lands or any part thereof for highway or expressway alignments, whether aerial, sub-surface, or at ground level. Council will discourage the opening of public highways or private roadways of any kind in designated ravine areas, including those which may presently exist in the form of unopened road allowances.

5.11 It is the policy of Council to constrain where possible the use of existing public highways passing through designated ravine areas by such measures as restricting their use for vehicular traffic at certain periods, thereby enabling pedestrians and cyclists to enjoy the ravines.

5.12 The lands shown delineated by heavy lines on the Plans contained in Appendix "A" are hereby designated as ravines pursuant to Section 2 of the City of Toronto Act, 1971.

5.13 The provisions of Section 5.2 shall not apply to any lands shown shaded on any plan contained in Appendix 'A'.

5.14 While it is not the policy of Council actively to acquire privately owned designated ravine lands, Council may from time to time acquire such lands when opportunities arise to attain the policies set forth in Section 5.2 or to protect an endangered ravine environment.

5.15 It is the policy of Council, subject to The Weed Control Act, to pass By-laws regulating the destruction of trees or other natural vegetation, or any class or classes thereof, on any land designated as ravine by Section 5.12, and prohibiting the destruction of such trees or other natural vegetation, and prohibiting excavation or other alteration of contours of any such land without the consent of Council.

5.16 Before granting the consent referred to in Section 5.15, Council shall be satisfied that the character of the ravine is not to be adversely affected. In making such determination, Council shall have regard to:

(i) changes of a reparative or restorative nature which enhance and improve the ravine;

(ii) the nature of the vegetation and slope characteristics of the site; and

(iii) the advisability of retaining in a natural state lands designated as ravine which have been free of buildings and structures for a substantial length of time.

5.17 It is the policy of Council that management guidelines for designated ravine lands shall be adopted. Such guidelines shall include:

(a) vegetation and wildlife management practices;

(b) maintenance and clean-up programs;

(c) monitoring programs to minimize vandalism and illegal dumping; and

(d) information programs to develop public awareness of the significance of ravines.

5.18 Council recognizes the significant impact of surrounding development on ravine ecosystems. Accordingly, Council shall in consultation with appropriate public agencies consider, in appropriate areas, the establishment of a ravine impact zone adjacent to designated ravines for distances to be determined by policy definition, within which the environmental effects of development or redevelopment proposals will be evaluated.

5.19 No By-law passed pursuant to Section 5.15 shall apply to the erection on the lands known in the year 1983 as 77

Coldstream Avenue of one private detached dwelling house approximating Scheme A, Exhibit 14 referred to in a decision of the Ontario Municipal Board dated August 1, 1978, under File No. R 772346 and to the erection of one private detached dwelling house on lands located between Nos. 10 and 20 Avondale Road and identified in Official Plan Amendment No. 164 as amended and described in By-law No. 710-81.

The matter of expressing support for the establishment of the 'land fill regulation line' in the Humber and Don Valleys under the Conservation Authorities Act, as requested by the Metropolitan Toronto and Region Conservation Authority, is under active consideration by your Committee and my report of February 21, 1983 deals with this matter. If your Committee accepts the recommendations contained in this report, it would be appropriate to include the following additional policy statement in the Official Plan.

5.20 It is the policy of Council to support the establishment of a Land Fill Regulation Line by the Metropolitan Toronto and Region Conservation Authority as it affects lands adjacent to the portions of the Don and Humber Valleys within the City limits, under the Conservation Authorities Act. Council shall give support to the Authority in the enforcement of regulations made under the said Act in the aforesaid areas.

The renumbering of Sections 5.8, 5.9 and 5.10 as suggested, together with the statements proposed for addition to the Official Plan, would require renumbering of subsequent subsections of Section 5 of the Official Plan, i.e., Subsections 5.11 to 5.33. The City Solicitor should accordingly be requested to report on this matter. The Official Plan policies related to ravines as presently contained in Section 5 of the Official Plan are attached to this report as Appendix 'A'.

It is to be noted that the changes to Section 5 suggested in this report would require consideration by the City of Toronto Planning Board. A review of this report by the Planning Board is therefore appropriate prior to your Committee making recommendations to City Council on the matter.

RECOMMENDATIONS:

1. That your Committee not take action on this report at this time.

2. That the report be referred to the City of Toronto Planning Board for review and comments in order to guide your Committee as to further action to be taken thereon.

Stephen G. McLaughlin,
Commissioner.

SS/lt

APPENDIX 'A'

PRESENT FORM OF SECTION 5 OF
THE OFFICIAL PLAN (FIRST PORTION),
WITH ANNOTATION AS PER CURRENT
CONSOLIDATION DOCUMENT

5 PARKS, THE RAVINES, THE WATERFRONT AND THE RAILWAY LANDS (1)

Chief natural features	5.1	The Lakeshore, the Toronto Islands, the ravines and the escarpment north of Davenport Road are the chief natural features of the City. It is Council's policy that the use and development of these area shall not prejudice their use for public recreation and enjoyment.
Major parks system	5.2	It is Council's policy that the Lakeshore, the Toronto Islands and the ravines, together with the other areas designated as open space on the Generalized City Plan Map form the major parks system of the City, containing regional parks and systems of district and local parks.
Continuous connecting paths	5.3	Council will develop or will encourage the development of the major parks system with continuous paths suitable for use by pedestrians, equestrians, skiers and cyclists, connecting the individual parks comprising the system. Council will seek the co-operation of private owners and of public authorities and agencies who own land in areas designated as open space to achieve the development of these continuous connecting links and paths.
Local and district parks	5.4	The major parks system will be supplemented by the provision of local and district parks in locations other than those designated as open space on the Generalized City Plan Map in accordance with the policies of Section 2.17 and provisions of Part II of this Plan.

Retention and acquisition of open space land	5.5	In the areas designated as open space on the Generalized City Plan Map no City owned land will be disposed of, and Council will acquire land in these areas in accordance with the policies contained in this section.
Replacement of parkland	5.6	Where City owned park land is to be used for another public purposes, an equivalent area of land will be acquired. Preference will be given to acquiring such equivalent area of land in the immediate area but such area of land may be acquired at an alternative location which is deficient in parks.
Public open space land for	5.7	(a) Except as required for other public purposes, publicly owned land in the areas designated as open space will be used only for park, recreational and ancillary uses.
Open space designation of private land		(b) Where any lands designated for open space are in private ownership, this Plan does not indicate that this land will necessarily remain as open space indefinitely, nor shall it be construed as implying that open space areas are free and open to the general public or will be purchased by any municipality. If proposals to develop any such lands that are in private ownership are made and a municipality does not wish to purchase such lands in order to maintain the open space, then an application for the redesignation of such land for other purposes will be given due consideration by the City, insofar as such redesignation is consistent with the policies of this Plan.

THE RAVINES

Public ravines remain in natural state

5.8 It is the policy of Council that the ravines owned by the City remain in their natural state, and that Council encourage other public agencies owning other ravines in the City, to maintain them in their natural state, with such clearing, extension and improvement as is necessary for public recreation use.

Acquisition of private ravine lands

5.9 Private lands in the ravines will be acquired as necessary for parks or the attainment of the policies set out in Section 5.3. Due notice of Council's intention to acquire such land will be given to the owner thereof.

Roads and public works only if essential

5.10 Construction of roads and the undertaking of other public works in the ravines will be approved only where essential, and the design of such works will be such as to detract as little as possible from the appearance and recreational use of the areas affected.

Designation of ravines in Appendix A

(a) The lands shown delineated by heavy lines on the Plans contained in Appendix 'A' are hereby designated as ravines pursuant to Section 2 of the City of Toronto Act, 1971.

Exemption

(b) Notwithstanding the provisions of Sections 5.2 and 5.9, none of such provisions shall apply to any lands shown shaded on any Plan contained in Appendix 'A'.

Protection of vegetation by by-law

(c) It is the policy of Council, subject to The Weed Control Act, to pass By-laws regulating the destruction of trees or other natural vegetation, or any class or classes thereof, on any land designated as ravine by Section

5.10(a), and prohibiting the destruction of such trees or other natural vegetation and the excavating or other altering of contours of any such land without the consent of Council.

Council approval for alterations

(d) Before granting the consent referred to in Section 5.10(c), Council will be satisfied that the character of the ravine is not adversely affected. In determining whether or not a ravine is adversely affected, Council will have regard to:

Factors to be considered:

(i) changes of a reparative or restorative nature which enhance and improve the ravine;

(ii) the nature of the vegetaton and slope characteristics of the site;

(iii) the advisability of retaining in a natural state lands designated as ravine which have been free of buildings and structures for a substantial length of time.